

In re Patent Application of:

[illegible]

SIR:

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[illegible]

MAXYGEN, INC.

By:

1 of 1

DECLARATION FOR PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: **STRAWBERRY VEIN BANDING VIRUS (SVBV) PROMOTER**

the specification of which (check one) X is attached hereto was filed on **October 30, 2001** as Application Serial No. Unassigned and was amended on (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, Section 1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

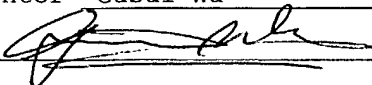
Prior Foreign Application(s)			Priority Claimed	
Number	Country	Day/Month/Year Filed	Yes	No

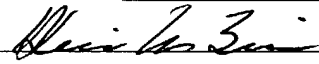
I hereby claim the benefit under Title 35, United States Code, §119(e) of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

Application Serial No.	Filing Date	Status
60/245,354	01-NOV-2000	Patented, Pending, Abandoned X

Send Correspondence to: Maxygen, Inc.
Intellectual Property Department
515 Galveston Drive
Redwood City, California 94063
(650) 298-5300 - (650) 298-5446 (Fax)

Thereby declare that all statements herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements and the like so made are punishable by fine or imprisonment or both, under Section 1001 of Title 18 of the United States code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first inventor Gusui Wu
 Inventor's signature  Date 10/29/2001
 Residence DAVIS, CALIFORNIA
 Citizenship U.S.A.
 Post Office Address 1322 Madera Court, Davis, California 95616

Full name of second inventor Kevin McBride
 Inventor's signature  Date 10-29-01
 Residence DAVIS, CALIFORNIA
 Citizenship U.S.A.
 Post Office Address 1309 Marin Circle, Davis, California 95616

Full name of third inventor _____
 Inventor's signature _____ Date _____
 Residence _____
 Citizenship _____
 Post Office Address _____

Full name of fourth inventor _____
 Inventor's signature _____ Date _____
 Residence _____
 Citizenship _____
 Post Office Address _____

Full name of fifth inventor _____
 Inventor's signature _____ Date _____
 Residence _____
 Citizenship _____
 Post Office Address _____